

FOR CONSIDERATION By the Committee on Criminal Justice

591-03361-08

20087050__

1 A bill to be entitled

2 An act relating to juvenile justice; amending s. 985.03,
3 F.S.; defining the term "ordinary medical care"; amending
4 s. 985.04, F.S.; providing that confidential information
5 obtained during an official's service with juvenile
6 delinquents may be shared with authorized personnel of the
7 Department of Children and Family Services; amending s.
8 985.494, F.S.; removing references to the early
9 delinquency intervention program when the court considers
10 where to commit a delinquent; amending s. 985.601, F.S.;
11 requiring the Department of Juvenile Justice to adopt
12 rules to establish procedures to provide ordinary medical
13 care, mental health, substance abuse, and developmental
14 disabilities services to youth within the juvenile justice
15 continuum; requiring that, to the extent possible within
16 available fiscal resources, the procedures must be
17 commensurate with procedures that youth receive in the
18 community; amending s. 985.644, F.S.; deleting references
19 to the Department of Children and Family Services for
20 contracting services that carry out the purposes of the
21 Department of Juvenile Justice; amending s. 985.66, F.S.;
22 transferring the responsibility for the juvenile justice
23 training program from the Juvenile Justice Standards and
24 Training Commission to the Department of Juvenile Justice;
25 requiring the department to adopt rules; repealing s.
26 985.61, F.S., relating to the early delinquency
27 intervention program; amending s. 985.721, F.S.;
28 conforming a cross-reference; providing an effective date.
29

591-03361-08

20087050__

30 Be It Enacted by the Legislature of the State of Florida:

31

32 Section 1. Subsections (39) through (57) of section 985.03,
33 Florida Statutes, are redesignated as subsections (40) through
34 (58), respectively, and a new subsection (38) is added to that
35 section, to read:

36 985.03 Definitions.--As used in this chapter, the term:

37 (38) "Ordinary medical care" means medical procedures that
38 are administered or performed on a routine basis and that do not
39 involve hospitalization, surgery, or the use of general
40 anesthesia and include, but are not limited to, inoculations,
41 physical examinations, and remedial treatment for minor illnesses
42 and injuries.

43 Section 2. Subsection (1) of section 985.04, Florida
44 Statutes, is amended to read:

45 985.04 Oaths; records; confidential information.--

46 (1) Except as provided in subsections (2), (3), (6), and
47 (7) and s. 943.053, all information obtained under this chapter
48 in the discharge of official duty by any judge, any employee of
49 the court, any authorized agent of the department, the Parole
50 Commission, the Department of Corrections, the Department of
51 Children and Family Services, the juvenile justice circuit
52 boards, any law enforcement agent, or any licensed professional
53 or licensed community agency representative participating in the
54 assessment or treatment of a juvenile is confidential and may be
55 disclosed only to the authorized personnel of the court, the
56 department and its designees, the Department of Corrections, the
57 Department of Children and Family Services, the Parole
58 Commission, law enforcement agents, school superintendents and

591-03361-08

20087050__

59 | their designees, any licensed professional or licensed community
60 | agency representative participating in the assessment or
61 | treatment of a juvenile, and others entitled under this chapter
62 | to receive that information, or upon order of the court. Within
63 | each county, the sheriff, the chiefs of police, the district
64 | school superintendent, and the department shall enter into an
65 | interagency agreement for the purpose of sharing information
66 | about juvenile offenders among all parties. The agreement must
67 | specify the conditions under which summary criminal history
68 | information is to be made available to appropriate school
69 | personnel, and the conditions under which school records are to
70 | be made available to appropriate department personnel. Such
71 | agreement shall require notification to any classroom teacher of
72 | assignment to the teacher's classroom of a juvenile who has been
73 | placed in a probation or commitment program for a felony offense.
74 | The agencies entering into such agreement must comply with s.
75 | 943.0525, and must maintain the confidentiality of information
76 | that is otherwise exempt from s. 119.07(1), as provided by law.

77 | Section 3. Subsection (1) of section 985.494, Florida
78 | Statutes, is amended to read:

79 | 985.494 Commitment programs for juvenile felony
80 | offenders.--

81 | (1) Notwithstanding any other law and regardless of the
82 | child's age, a child who is adjudicated delinquent, or for whom
83 | adjudication is withheld, for an act that would be a felony if
84 | committed by an adult, shall be committed to:

85 | (a) A sheriff's training and respect program under s.
86 | 985.4891 ~~if the child has participated in an early delinquency~~
87 | ~~intervention program as provided in s. 985.61.~~

591-03361-08

20087050__

88 (b) A program for serious or habitual juvenile offenders
89 under s. 985.47 or an intensive residential treatment program for
90 offenders less than 13 years of age under s. 985.483, if the
91 child has ~~participated in an early delinquency intervention~~
92 ~~program and has~~ completed a sheriff's training and respect
93 program.

94 (c) A maximum-risk residential program, if the child has
95 ~~participated in an early delinquency intervention program, has~~
96 completed a sheriff's training and respect program, and has
97 completed a program for serious or habitual juvenile offenders or
98 an intensive residential treatment program for offenders less
99 than 13 years of age. The commitment of a child to a maximum-risk
100 residential program must be for an indeterminate period, but may
101 not exceed the maximum term of imprisonment that an adult may
102 serve for the same offense.

103 Section 4. Subsection (2) of section 985.601, Florida
104 Statutes, is amended to read:

105 985.601 Administering the juvenile justice continuum.--

106 (2) (a) The department shall develop and implement an
107 appropriate continuum of care that provides individualized,
108 multidisciplinary assessments, objective evaluations of relative
109 risks, and the matching of needs with placements for all children
110 under its care, and that uses a system of case management to
111 facilitate each child being appropriately assessed, provided with
112 services, and placed in a program that meets the child's needs.

113 (b) As part of the continuum of services, the department
114 shall adopt rules pursuant to chapter 120 establishing procedures
115 to provide ordinary medical care, mental health, substance abuse,
116 and developmental disabilities services to youth within the

591-03361-08

20087050__

117 juvenile justice continuum as defined in s. 985.03. These
118 procedures shall, to the extent possible within available fiscal
119 resources, be commensurate with procedures that youth receive in
120 the community. Further, these procedures must ensure that the
121 ordinary medical care, mental health, substance abuse, and
122 developmental disabilities services in department programs and
123 facilities are rendered in accordance with existing state and
124 federal health care statutes, regulations, and rules.

125 Section 5. Section 985.644, Florida Statutes, is amended to
126 read:

127 985.644 Departmental contracting powers; personnel
128 standards and screening.--

129 (1) ~~The department of Juvenile Justice or the Department of~~
130 ~~Children and Family Services, as appropriate,~~ may contract with
131 the Federal Government, other state departments and agencies,
132 county and municipal governments and agencies, public and private
133 agencies, and private individuals and corporations in carrying
134 out the purposes of, and the responsibilities established in,
135 this chapter.

136 (a) ~~When the department of Juvenile Justice or the~~
137 ~~Department of Children and Family Services~~ contracts with a
138 provider for any program for children, all personnel, including
139 owners, operators, employees, and volunteers, in the facility
140 must be of good moral character. Each contract entered into by
141 either department for services delivered on an appointment or
142 intermittent basis by a provider that does not have regular
143 custodial responsibility for children and each contract with a
144 school for before or aftercare services must ensure that the
145 owners, operators, and all personnel who have direct contact with

591-03361-08

20087050__

146 children are of good moral character. A volunteer who assists on
147 an intermittent basis for less than 40 hours per month need not
148 be screened if the volunteer is under direct and constant
149 supervision by persons who meet the screening requirements.

150 (b) The department of ~~Juvenile Justice and the Department~~
151 ~~of Children and Family Services~~ shall require employment
152 screening pursuant to chapter 435, using the level 2 standards
153 set forth in that chapter for personnel in programs for children
154 or youths.

155 (c) The department of ~~Juvenile Justice or the Department of~~
156 ~~Children and Family Services~~ may grant exemptions from
157 disqualification from working with children as provided in s.
158 435.07.

159 ~~(2) The department may contract with the Federal~~
160 ~~Government, other state departments and agencies, county and~~
161 ~~municipal governments and agencies, public and private agencies,~~
162 ~~and private individuals and corporations in carrying out the~~
163 ~~purposes and the responsibilities of the delinquency services and~~
164 ~~programs of the department.~~

165 (2)~~(3)~~ The department shall adopt a rule pursuant to
166 chapter 120 establishing a procedure to provide notice of policy
167 changes that affect contracted delinquency services and programs.
168 A policy is defined as an operational requirement that applies to
169 only the specified contracted delinquency service or program. The
170 procedure must ~~shall~~ include:

171 (a) Public notice of policy development.

172 (b) Opportunity for public comment on the proposed policy.

173 (c) Assessment for fiscal impact upon the department and
174 providers.

591-03361-08

20087050__

175 (d) The department's response to comments received.

176 ~~(4) When the department contracts with a provider for any~~
177 ~~delinquency service or program, all personnel, including all~~
178 ~~owners, operators, employees, and volunteers in the facility or~~
179 ~~providing the service or program shall be of good moral~~
180 ~~character. A volunteer who assists on an intermittent basis for~~
181 ~~less than 40 hours per month is not required to be screened if~~
182 ~~the volunteer is under direct and constant supervision by persons~~
183 ~~who meet the screening requirements.~~

184 (3)~~(5)~~(a) For any person employed by the department, or by
185 a provider under contract with the department, in delinquency
186 facilities, services, or programs, the department shall require:

187 1. A level 2 employment screening pursuant to chapter 435
188 prior to employment.

189 2. A federal criminal records check by the Federal Bureau
190 of Investigation every 5 years following the date of the person's
191 employment.

192 (b) Except for law enforcement, correctional, and
193 correctional probation officers, to whom s. 943.13(5) applies,
194 the department shall electronically submit to the Department of
195 Law Enforcement:

196 1. Fingerprint information obtained during the employment
197 screening required by subparagraph (a)1.

198 2. Beginning on December 15, 2005, fingerprint information
199 for all persons employed by the department, or by a provider
200 under contract with the department, in delinquency facilities,
201 services, or programs if such fingerprint information has not
202 previously been electronically submitted to the Department of Law
203 Enforcement under this paragraph.

591-03361-08

20087050__

204 (c) All fingerprint information electronically submitted to
205 the Department of Law Enforcement under paragraph (b) shall be
206 retained by the Department of Law Enforcement and entered into
207 the statewide automated fingerprint identification system
208 authorized by s. 943.05(2)(b). Thereafter, such fingerprint
209 information shall be available for all purposes and uses
210 authorized for arrest fingerprint information entered into the
211 statewide automated fingerprint identification system pursuant to
212 s. 943.051 until the fingerprint information is removed under
213 ~~pursuant to~~ paragraph (e). The Department of Law Enforcement
214 shall search all arrest fingerprint information received pursuant
215 to s. 943.051 against the fingerprint information entered into
216 the statewide automated fingerprint system under ~~pursuant~~ to this
217 subsection. Any arrest records identified as a result of the
218 search shall be reported to the department in the manner and
219 timeframe established by the Department of Law Enforcement by
220 rule.

221 (d) The department shall pay an annual fee to the
222 Department of Law Enforcement for its costs resulting from the
223 fingerprint information retention services required by this
224 subsection. The amount of the annual fee and procedures for the
225 submission and retention of fingerprint information and for the
226 dissemination of search results shall be established by the
227 Department of Law Enforcement by adopting a rule that is
228 applicable to the department individually under ~~pursuant to~~ this
229 subsection or that is applicable to the department and other
230 employing agencies pursuant to rulemaking authority otherwise
231 provided by law.

591-03361-08

20087050__

232 (e) The department shall notify the Department of Law
233 Enforcement when a person whose fingerprint information is
234 retained by the Department of Law Enforcement under this
235 subsection is no longer employed by the department, or by a
236 provider under contract with the department, in a delinquency
237 facility, service, or program. This notice shall be provided by
238 the department to the Department of Law Enforcement no later than
239 6 months after the date of the change in the person's employment
240 status. Fingerprint information for persons identified by the
241 department in the notice shall be removed from the statewide
242 automated fingerprint system.

243 (4) ~~(6)~~ The department may grant exemptions from
244 disqualification from working with children as provided in s.
245 435.07.

246 Section 6. Section 985.66, Florida Statutes, is amended to
247 read:

248 985.66 Juvenile justice training academies; Juvenile
249 Justice Standards and Training Commission; Juvenile Justice
250 Training Trust Fund.--

251 (1) LEGISLATIVE PURPOSE.--In order to enable the state to
252 provide a systematic approach to staff development and training
253 for judges, state attorneys, public defenders, law enforcement
254 officers, school district personnel, and juvenile justice program
255 staff that will meet the needs of such persons in their discharge
256 of duties while at the same time meeting the requirements for the
257 American Correction Association accreditation by the Commission
258 on Accreditation for Corrections, it is the purpose of the
259 Legislature to require the department to establish, maintain, and
260 oversee the operation of juvenile justice training academies in

591-03361-08

20087050__

261 | the state. The purpose of the Legislature in establishing staff
262 | development and training programs is to foster better staff
263 | morale and reduce mistreatment and aggressive and abusive
264 | behavior in delinquency programs; to positively impact the
265 | recidivism of children in the juvenile justice system; and to
266 | afford greater protection of the public through an improved level
267 | of services delivered by a professionally trained juvenile
268 | justice program staff to children who are alleged to be or who
269 | have been found to be delinquent.

270 | (2) JUVENILE JUSTICE STANDARDS AND TRAINING COMMISSION.--

271 | ~~(a) There is created under the Department of Juvenile~~
272 | ~~Justice the Juvenile Justice Standards and Training Commission,~~
273 | ~~hereinafter referred to as the commission. The 17-member~~
274 | ~~commission shall consist of the Attorney General or designee, the~~
275 | ~~Commissioner of Education or designee, a member of the juvenile~~
276 | ~~court judiciary to be appointed by the Chief Justice of the~~
277 | ~~Supreme Court, and 14 members to be appointed by the Secretary of~~
278 | ~~Juvenile Justice as follows:~~

279 | ~~1. Seven members shall be juvenile justice professionals: a~~
280 | ~~superintendent or a direct care staff member from an institution;~~
281 | ~~a director from a contracted community-based program; a~~
282 | ~~superintendent and a direct care staff member from a regional~~
283 | ~~detention center or facility; a juvenile probation officer~~
284 | ~~supervisor and a juvenile probation officer; and a director of a~~
285 | ~~day treatment or conditional release program. No fewer than three~~
286 | ~~of these members shall be contract providers.~~

287 | ~~2. Two members shall be representatives of local law~~
288 | ~~enforcement agencies.~~

591-03361-08

20087050__

289 ~~3. One member shall be an educator from the state's~~
290 ~~university and community college program of criminology, criminal~~
291 ~~justice administration, social work, psychology, sociology, or~~
292 ~~other field of study pertinent to the training of juvenile~~
293 ~~justice program staff.~~

294 ~~4. One member shall be a member of the public.~~

295 ~~5. One member shall be a state attorney, or assistant state~~
296 ~~attorney, who has juvenile court experience.~~

297 ~~6. One member shall be a public defender, or assistant~~
298 ~~public defender, who has juvenile court experience.~~

299 ~~7. One member shall be a representative of the business~~
300 ~~community.~~

301
302 ~~All appointed members shall be appointed to serve terms of 2~~
303 ~~years.~~

304 ~~(b) The composition of the commission shall be broadly~~
305 ~~reflective of the public and shall include minorities and women.~~
306 ~~The term "minorities" as used in this paragraph means a member of~~
307 ~~a socially or economically disadvantaged group that includes~~
308 ~~blacks, Hispanics, and American Indians.~~

309 ~~(c) The Department of Juvenile Justice shall provide the~~
310 ~~commission with staff necessary to assist the commission in the~~
311 ~~performance of its duties.~~

312 ~~(d) The commission shall annually elect its chairperson and~~
313 ~~other officers. The commission shall hold at least four regular~~
314 ~~meetings each year at the call of the chairperson or upon the~~
315 ~~written request of three members of the commission. A majority of~~
316 ~~the members of the commission constitutes a quorum. Members of~~
317 ~~the commission shall serve without compensation but are entitled~~

591-03361-08

20087050__

318 ~~to be reimbursed for per diem and travel expenses as provided by~~
319 ~~s. 112.061 and these expenses shall be paid from the Juvenile~~
320 ~~Justice Training Trust Fund.~~

321 ~~(e) The department powers, duties, and functions of the~~
322 ~~commission shall be to:~~

323 ~~(a)1.~~ Designate the location of the training academies;
324 develop, implement, maintain, and update the curriculum to be
325 used in the training of juvenile justice program staff; establish
326 timeframes for participation in and completion of training by
327 juvenile justice program staff; develop, implement, maintain, and
328 update job-related examinations; develop, implement, and update
329 the types and frequencies of evaluations of the training
330 academies; approve, modify, or disapprove the budget for the
331 training academies, and the contractor to be selected to organize
332 and operate the training academies and to provide the training
333 curriculum.

334 ~~(b)2.~~ Establish uniform minimum job-related training
335 courses and examinations for juvenile justice program staff.

336 ~~(c)3.~~ Consult and cooperate with the state or any political
337 subdivision; any private entity or contractor; and with private
338 and public universities, colleges, community colleges, and other
339 educational institutions concerning the development of juvenile
340 justice training and programs or courses of instruction,
341 including, but not limited to, education and training in the
342 areas of juvenile justice.

343 ~~(d)4. Enter into With the approval of the department, make~~
344 ~~and enter into such~~ contracts and agreements with other agencies,
345 organizations, associations, corporations, individuals, or

591-03361-08

20087050__

346 federal agencies ~~as the commission determines are necessary~~ in
347 the execution of its powers or the performance of its duties.

348 ~~5. Make recommendations to the Department of Juvenile~~
349 ~~Justice concerning any matter within the purview of this section.~~

350 (3) JUVENILE JUSTICE TRAINING PROGRAM.--The department
351 ~~commission~~ shall establish a certifiable program for juvenile
352 justice training under ~~pursuant to~~ this section, and all
353 department program staff and providers who deliver direct care
354 services pursuant to a contract with the department shall ~~be~~
355 ~~required to~~ participate in and successfully complete the
356 ~~commission-approved~~ program of training pertinent to their areas
357 of responsibility. Judges, state attorneys, and public defenders,
358 law enforcement officers, and school district personnel may
359 participate in the ~~such~~ training program. For the juvenile
360 justice program staff, the department ~~commission~~ shall, based on
361 a job-task analysis:

362 (a) Design, implement, maintain, evaluate, and revise a
363 basic training program, including a competency-based examination,
364 for the purpose of providing minimum employment training
365 qualifications for all juvenile justice personnel. All program
366 staff of the department and providers who deliver direct-care
367 services who are hired after October 1, 1999, must meet the
368 following minimum requirements:

369 1. Be at least 19 years of age.

370 2. Be a high school graduate or its equivalent as
371 determined by the department ~~commission~~.

372 3. Not have been convicted of any felony or a misdemeanor
373 involving perjury or a false statement, or have received a
374 dishonorable discharge from any of the Armed Forces of the United

591-03361-08

20087050__

375 States. Any person who, after September 30, 1999, pleads guilty
376 or nolo contendere to or is found guilty of any felony or a
377 misdemeanor involving perjury or false statement is not eligible
378 for employment, notwithstanding suspension of sentence or
379 withholding of adjudication. Notwithstanding this subparagraph,
380 any person who pled nolo contendere to a misdemeanor involving a
381 false statement before October 1, 1999, and who has had such
382 record of that plea sealed or expunged is not ineligible for
383 employment for that reason.

384 4. Abide by ~~all the provisions of~~ s. 985.644(1) regarding
385 fingerprinting and background investigations and other screening
386 requirements for personnel.

387 5. Execute and submit to the department an affidavit-of-
388 application form, adopted by the department, attesting to his or
389 her compliance with subparagraphs 1.-4. The affidavit must be
390 executed under oath and constitutes an official statement under
391 s. 837.06. The affidavit must include conspicuous language that
392 the intentional false execution of the affidavit constitutes a
393 misdemeanor of the second degree. The employing agency shall
394 retain the affidavit.

395 (b) Design, implement, maintain, evaluate, and revise an
396 advanced training program, including a competency-based
397 examination for each training course, which is intended to
398 enhance knowledge, skills, and abilities related to job
399 performance.

400 (c) Design, implement, maintain, evaluate, and revise a
401 career development training program, including a competency-based
402 examination for each training course. Career development courses
403 are intended to prepare personnel for promotion.

591-03361-08

20087050__

404 (d) The department ~~commission~~ is encouraged to design,
405 implement, maintain, evaluate, and revise juvenile justice
406 training courses, or to enter into contracts for such training
407 courses, that are intended to provide for the safety and well-
408 being of both citizens and juvenile offenders.

409 (4) JUVENILE JUSTICE TRAINING TRUST FUND.--

410 (a) There is created within the State Treasury a Juvenile
411 Justice Training Trust Fund to be used by the Department of
412 Juvenile Justice for the purpose of funding the development and
413 updating of a job-task analysis of juvenile justice personnel;
414 the development, implementation, and updating of job-related
415 training courses and examinations; and the cost of ~~commission-~~
416 approved juvenile justice training courses; ~~and reimbursement for~~
417 ~~expenses as provided in s. 112.061 for members of the commission~~
418 ~~and staff.~~

419 (b) One dollar from every noncriminal traffic infraction
420 collected under ~~pursuant~~ to ss. 318.14(10)(b) and 318.18 shall be
421 deposited into the Juvenile Justice Training Trust Fund.

422 (c) In addition to the funds generated by paragraph (b),
423 the trust fund may receive funds from any other public or private
424 source.

425 (d) Funds that are not expended by the end of the budget
426 cycle or through a supplemental budget approved by the department
427 shall revert to the trust fund.

428 (5) ESTABLISHMENT OF JUVENILE JUSTICE TRAINING
429 ACADEMIES.--The number, location, and establishment of juvenile
430 justice training academies shall be determined by the department
431 ~~commission~~.

432 (6) SCHOLARSHIPS AND STIPENDS.--

591-03361-08

20087050__

433 (a) The department shall adopt a By rule to,~~the commission~~
434 ~~shall~~ establish criteria to award scholarships or stipends to
435 qualified juvenile justice personnel who are residents of the
436 state who want to pursue a bachelor's or associate in arts degree
437 in juvenile justice or a related field. The department shall
438 handle the administration of the scholarship or stipend. The
439 Department of Education shall handle the notes issued for the
440 payment of the scholarships or stipends. All scholarship and
441 stipend awards shall be paid from the Juvenile Justice Training
442 Trust Fund upon vouchers approved by the Department of Education
443 and properly certified by the Chief Financial Officer. Prior to
444 the award of a scholarship or stipend, the juvenile justice
445 employee must agree in writing to practice her or his profession
446 in juvenile justice or a related field for 1 month for each month
447 of grant or to repay the full amount of the scholarship or
448 stipend together with interest at the rate of 5 percent per annum
449 over a period not to exceed 10 years. Repayment shall be made
450 payable to the state for deposit into the Juvenile Justice
451 Training Trust Fund.

452 (b) The department ~~commission~~ may establish the scholarship
453 program by rule and implement the program on or after July 1,
454 1996.

455 (7) ADOPTION OF RULES.--The department ~~commission~~ shall
456 adopt rules as necessary to administer ~~carry out the provisions~~
457 ~~of~~ this section.

458 (8) PARTICIPATION OF CERTAIN PROGRAMS IN THE STATE RISK
459 MANAGEMENT TRUST FUND.--Pursuant to s. 284.30, the Division of
460 Risk Management of the Department of Financial Services is
461 authorized to insure a private agency, individual, or corporation

591-03361-08

20087050__

462 | operating a state-owned training school under a contract to carry
463 | out the purposes and responsibilities of any program of the
464 | department. The coverage authorized herein shall be under the
465 | same general terms and conditions as the department is insured
466 | for its responsibilities under chapter 284.

467 | ~~(9) The Juvenile Justice Standards and Training Commission~~
468 | ~~is terminated on June 30, 2001, and such termination shall be~~
469 | ~~reviewed by the Legislature prior to that date.~~

470 | Section 7. Section 985.61, Florida Statutes, is repealed.

471 | Section 8. Section 985.721, Florida Statutes, is amended to
472 | read:

473 | 985.721 Escapes from secure detention or residential
474 | commitment facility.--An escape from:

475 | (1) Any secure detention facility maintained for the
476 | temporary detention of children, pending adjudication,
477 | disposition, or placement;

478 | (2) Any residential commitment facility described in s.
479 | 985.03(45) ~~s. 985.03(44)~~, maintained for the custody, treatment,
480 | punishment, or rehabilitation of children found to have committed
481 | delinquent acts or violations of law; or

482 | (3) Lawful transportation to or from any such secure
483 | detention facility or residential commitment facility,

484 |
485 | constitutes escape within the intent and meaning of s. 944.40 and
486 | is a felony of the third degree, punishable as provided in s.
487 | 775.082, s. 775.083, or s. 775.084.

488 | Section 9. This act shall take effect July 1, 2008.